

BEFORE: Joseph F. Bianco U.S.C.J (Sitting by Designation)
DATE: 07/30/2021 **TIME:** 10:45 A.M. **TIME IN COURT:** 1hr 5minutes
DOCKET #: CR 13-00607
CAPTION: USA v. Kenner et. al.

CRIMINAL CAUSE FOR SENTENCING (RESTITUTION PART) (BY VIDEO)

APPEARANCES:

Defense Counsel: Matthew Whitney Brissenden (Stand-by Counsel)
X Present Not Present
X CJA Retained Federal Defenders

Defendant: Phillip A. Kenner
 X Present Not Present
 On Bond X In Custody

Government: Matthew Haggans

For Owen Nolan: Seetha Ramachandran

Interpreter (Spanish): _____

FTR: 10:44-11:50 **COURTROOM DEPUTY:** JJT

 X Case called.
 X Counsel for parties present.
 Fatigo Hearing held
 Sentencing adjourned to at p.m. by video.
 X Statements of defendant and counsel heard.

IMPRISONMENT:

 The defendant is sentenced on _____
 To be followed by supervised release:
 Special conditions of supervised release are as follows:
 The defendant is remanded to the custody of the US Marshal.
 The defendant shall surrender _____
 The court makes the following recommendation to the Bureau of Prisons:

PROBATION:

 The defendant is sentenced to: _____
 Special conditions of probation: _____

___ During the term of probation, the court will not consider any travel request except for work or family emergencies.

FINE, RESTITUTION & SPECIAL ASSESSMENT:

___ The defendant is ordered to pay a fine in the sum of: \$ _____

___ The fine is payable: _____

___ The fine is waived based on the defendant's inability to pay.

X Restitution is ordered: \$16,300,000.48

___ Special assessment is imposed in the sum of: \$ _____

___ All open Counts are dismissed on the motion of the Government.

X The defendant is advised of his right to appeal.

X OTHER: Defendant and Counsel for the Government consent to proceeding by video for today's sentencing in accordance with the CARES Act. Court determines the restitution amount to be included in the J&C. In accordance with the Court's ruling at today's hearing, the Government shall file a letter providing the victim's names and amount of restitution owed to each victim. The Clerk of the Court is directed to mail a copy of this Order to the Defendant.